

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CANDACE ERMELS,

Plaintiff,

v.

SHORELINE SCHOOL DISTRICT,

Defendant.

CASE NO. 2:20-cv-00893-RAJ-BAT

**ORDER DENYING MOTION FOR
RECONSIDERATION**

Before the Court is Plaintiff's Motion for Reconsideration. Dkt. 46. Plaintiff asks the Court to reconsider its Order of December 3, 2020, in which the Court denied Plaintiff's Motion to Strike Pleadings/Impose Sanctions. Dkt. 38. The Order was entered after Defendant Shoreline School District re-served its filings and re-noted its motion to dismiss as directed by the Court. Dkt. 35, 39.

DISCUSSION

Motions for reconsideration are disfavored and the court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence. *See* Local Rule CR 7(h)(1). Plaintiff does not present any new facts or legal authority and makes no showing of manifest error in the Court's ruling.

1 The Court ordered Defendant to re-serve Plaintiff with its filings and to re-note its motion
 2 to dismiss to ensure that Plaintiff would receive notice and have sufficient time to respond to the
 3 motion. Plaintiff states however, that she was not given the opportunity “to reply to Defendant’s
 4 responses currently under consideration by the Court for the Motion for Default Judgment.” Dkt.
 5 46. This is not correct. On December 2, 2020, the undersigned issued a Report and
 6 Recommendation regarding Plaintiff’s second motion for default (Dkt. 20) and amended motion
 7 for default (Dkt. 28). All parties were given fourteen days to file objections. Dkt. 34. Plaintiff
 8 filed her objections on December 11, 2020. Dkt. 43. However, Plaintiff insists that she has been
 9 harmed because she did not timely receive Defendant’s response to Plaintiff’s Motion to Serve
 10 Defendant via Mail (Dkt. 31) – which has been renoted and is not the subject of any report and
 11 recommendation; and Defendant’s responses to her objections to an earlier Report and
 12 Recommendation (Dkt. 19) – which denied her first motion for default without prejudice and is
 13 separate from her additional and subsequent motions for default.

14 Plaintiff received sufficient notice of the two pending Reports and Recommendations and
 15 has not been deprived of her ability to address her concerns with the Court. In fact, the Court has
 16 taken steps to ensure that she is timely receiving all documents and has more than sufficient time
 17 to respond. Moreover, the Reports and Recommendations (Dkt. 19 and 34) remain pending
 18 before District Judge Richard A. Jones.

19 Plaintiff has failed to establish that the Court committed a manifest error of law or fact
 20 and therefore, her motion for reconsideration (Dkt. 46) is **denied**.

21 DATED this 11th day of December, 2020.

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 BRIAN A. TSUCHIDA
 Chief United States Magistrate Judge